

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3200

IN THE MATTER OF:

Served July 13, 1988

Application of TRI STATE CASINO)
TOURS, INC., for a Certificate of)
Public Convenience and Necessity —)
Charter and Special Operations)

Case No. AP-88-28

By application filed July 6, 1988, Tri State Casino Tours, Inc. (Tri State or applicant), seeks a certificate of public convenience and necessity to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, between points in the Metropolitan District 1/ in charter and special operations.

Tri State is a Delaware corporation with offices in Washington, DC. Its "facilities/operations base" is in Gainesville, VA. Applicant holds a certificate of public convenience and necessity issued in 1985 by the Interstate Commerce Commission to transport passengers in charter and special operations. Applicant is a member of the American Bus Association and United Bus Owners Association.

Tri State's revenue equipment consists of four motor coaches manufactured between 1973 and 1988 and ranging in seating capacity from 43 to 47. Applicant's proposed charter rates for vehicles seating 43 to 46 are \$50 an hour for trips up to 10 hours, with a 5-hour minimum of \$250; for trips of 10 to 20 hours, the proposed charter rate is \$40 an hour, with a minimum of \$400. For vehicles seating 46 to 47, the proposed charter rates are \$40 an hour for trips up to 10 hours, with a 5-hour minimum of \$200; for trips of 10 to 20 hours, the proposed charter rate is \$35 an hour, with a \$350 minimum. 2/ The proposed rate for special operations is \$15 per person, per trip.

Tri States's balance sheet for September 30, 1987, shows \$42,171 in current assets, \$277,054 in fixed assets after depreciation, and \$3,505 in other assets, for a total of \$322,730. Applicant lists

1/ To the extent that this application could be interpreted to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to Title II, Article XII, Section 1(b) of the Compact.

2/ As both seating capacity ranges include 46 passengers, the record is unclear as to which rate applies to applicant's one 46-passenger vehicle. It is also noted that the proposed tariff provides that certain non-profit organizations "may" be eligible for a discount. This matter should be definite. Applicant will be directed to provide a revised proposed tariff.

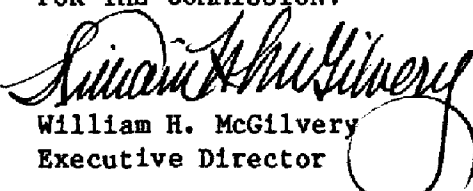
current liabilities of \$47,505, long-term liabilities of \$428,985, capital stock of \$100, and a deficit to retained earnings of \$153,860. Tri State's operating statement for the year ended September 30, 1987, shows operating income of \$241,073 and operating expenses of \$273,700 after depreciation and taxes, for a net operating loss of \$32,605 for the period. Applicant failed to provide a projection of revenue and revenue deductions (including allocable fixed expenses) to be generated by the proposed operations and will be directed to do so.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if the applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules and regulations and to determine whether the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-88-28 is hereby scheduled to commence Thursday, August 18, 1988, at 9:30 a.m. in the Hearing Room of the Commission, 1625 Eye Street, N.W., Room 314, Washington, DC 20006.
2. That Tri State Casino Tours, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District, notice of this application and the hearing thereon in the form prescribed by the staff of the Commission, no later than Friday, July 22, 1988, and shall present at the hearing an affidavit of such publication.
3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Monday, August 8, 1988, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Dennis Dean Kirk, Esquire, Suite 1213 National Place North, 1331 Pennsylvania Avenue, N.W., Washington, DC 20004.
4. That Tri State Casino Tours, Inc., is hereby assessed \$800 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1625 Eye Street, N.W., Suite 316, Washington, DC 20006, no later than Monday, August 8, 1988.
5. That Tri State Casino Tours, Inc., is hereby directed to file with the Commission, no later than Monday, August 8, 1988, an original and four copies of (1) a revised proposed tariff, and (2) a projection of revenue and revenue deductions (including allocable fixed expenses) to be generated by the proposed operations.

FOR THE COMMISSION:


William H. McGilvery
Executive Director